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FILED
In the office of the Secretary of State
of the State of California

EXECUTIVE DEPARTMENT

JUN 6 2001

STATE OF CALIFORNIA

BILL JONES, Secretary of State

By *[Signature]*
Deputy Secretary of State



EXECUTIVE ORDER D-38-01
by the
Governor of the State of California

WHEREAS, on January 17, 2001, I proclaimed a State of Emergency to exist due to the energy shortage in the State of California; and

WHEREAS, there is a high probability that the shortage of electricity will continue to cause blackouts throughout California, endangering public health and safety; and

WHEREAS, the threat of frequent and widespread blackouts requires a system to assure early and effective notice to the public and public safety agencies so that appropriate preparations may be taken to protect public health and safety, minimize economic disruptions and prevent harm to property and the environment;

NOW, THEREFORE, I, GRAY DAVIS, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

IT IS ORDERED that the California Independent System Operator shall, no later than June 15, 2001:

- forecast to the general public the potential for rolling blackouts 48 hours in advance and updated 24 hours in advance, based upon such factors as weather, outages, supply and demand;
- provide frequent updates to the public during periods of forecasted electricity emergencies; and
- notify utilities and public safety agencies at least one hour in advance of any firm load curtailment;

IT IS FURTHER ORDERED that each utility (the term "utility" includes investor owned utilities, municipally owned utilities and municipal utility districts) required to reduce its electricity output to customers shall notify the California Office of Emergency Services, the public, media and public safety agencies within its jurisdiction no less than one hour in advance as to the time and location where the anticipated blackout will occur, providing common geographical boundaries, grid or block numbers, maps or similar identifying information so as to be readily understood by the public and affected customers;

IT IS FURTHER ORDERED that each utility subject to the curtailment of electricity output to its customers shall maintain an updated listing available to the public, media, and its customers identifying all service areas designated for, or likely to experience, future blackouts, providing where possible the order in which future blackouts will occur;

IT IS FURTHER ORDERED that each utility subject to the curtailment of electrical power output to its customers shall provide each public safety agency within its jurisdiction, upon request, such information regarding the utility's service areas, grid and infrastructure as the public safety agency deems necessary to plan its responses to blackouts;

IT IS FURTHER ORDERED that the Office of Emergency Services, in consultation with the Public Utilities Commission, utilities, state and local public safety agencies, local governmental entities, and the media, shall develop a plan no later than June 15, 2001, providing specific direction for implementation of this Executive Order, including, but not limited to:

- specifying the information that the utilities are to provide to public safety agencies, the media and the public, and the form and procedures for providing such information;
- identifying and assuring the safety of utility customers who are particularly vulnerable to blackouts, such as hospitals, nursing homes, schools, buildings in excess of 80 feet in height, day-care centers; persons on life-support and water pumping stations;
- providing public safety agencies with the identity and location of facilities exempted from blackouts;
- utilizing the State's emergency public information systems to provide timely and widespread notification to the public of imminent and potential future blackouts; and
- assuring the confidentiality of customer and business records.

The activities herein are authorized to be carried out pursuant to the Emergency Services Act, Government Code section 8550 et seq., as necessary to mitigate the effects of the emergency.

I FURTHER DIRECT that as soon as hereafter possible, this order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this order.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Great Seal of California to be affixed
this 5th day of June 2001.

Gray Davis

Governor of California

ATTEST:
Bill Jones

Secretary of State

